

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Patent Application No. 09/763,194

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. By this Amendment, Applicant has canceled claims 1-5, 7 and 11-13 without prejudice or disclaimer.¹ Thus, claims 6 and 8-10 are now pending in the application with claim 10 being allowed.

In the Office Action dated September 11, 2002, the Examiner acknowledged the claim for foreign priority under 35 U.S.C. § 119 and receipt of the priority documents from the International Bureau, rather than acknowledging the claim for domestic priority under 35 U.S.C. § 120. That is, the present application is a continuation application under 37 C.F.R. § 1.53(b) claiming priority benefit under 35 U.S.C. § 120 of PCT application PCT/JP99/02379 (rather than a National stage application under 35 U.S.C. § 371), as indicated on the transmittal letter filed February 20, 2001. *Accordingly, Applicant again requests that the Examiner acknowledge the claim for domestic priority under 35 U.S.C. § 120 in the next action.*

By this Amendment, Applicant has amended independent claim 6 to incorporate the subject matter of dependent claim 4 (which the Examiner indicated would be allowable if rewritten in independent form). Further, Applicant has amended claims 6, 9 and 10 in order to improve clarity. Accordingly, Applicant respectfully submits that independent claim 6, as well as dependent claims 8 and 9, should be in condition for allowance.

¹ Claims 1-5 and 11-13 were previously withdrawn from consideration as being directed to a non-elected invention

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: July 14, 2003

Attorney Docket No.: Q63075